

IDAHO HVAC BOARD MEETING

Tuesday – February 13, 2007 – 9:00 A.M.

**Division of Building Safety
1090 East Watertower Street
Meridian, ID 83642**

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

The meeting was called to order by Chairman Patrick R. Minegar at 9:03 a.m. on Tuesday, February 13, 2007.

Board Members Present:

Patrick R. Minegar, Chairman
Carol Alexander (Teleconference)
Dan Brizee
Jim Byrer
Tom Daniels
Mike Wisdom

Board Members Absent:

Steve Brown

DBS Staff Members:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Marsi Woody, Deputy Administrator, Administration
Russ Owen, HVAC Inspector Supervisor
Al Caine, License & Compliance Program Manager
Heather Carr, Consultation & Outreach Advisor
Jeff Fitzloff, Electrical Bureau Chief
Laurie Jilbert, Executive Assistant
Jack Rayne, Building Bureau Bureau Chief
Renee Bryant, Administrative Assistant

Kelly Pearce, newly appointed Administrator for the Division of Building Safety, gave a synopsis of his career.

AGENDA MOTION: Mike Wisdom moved to approve the February 13, 2007 agenda. Jim Byrer seconded. All ayes, motion passed.

MEETING MINUTES MOTION: Dan Brizee moved to approve the October 24, 2006 minutes. Mike Wisdom seconded. All ayes, motion passed.

◆ **Flat Rate Fee**

The Division is looking for reaffirmation from the Board in endorsing the concept of the flat rate fee for permits. With all Boards in consensus, proposed legislation will be presented at the conclusion of the 2007 Legislative Session.

MOTION: Carol Alexander proposed a motion to approve the concept and take a proactive approach with the Plumbing Board to encourage their compliance. Dan Brizee seconded the motion. All ayes, motion passed.

ACTION: The HVAC Board will send a letter to the Plumbing Board strongly encouraging them to approve the concept of the flat rate fee, emphasizing the importance for all the Boards to work from common grounds.

◆ **Financial Report**

Marsi Woody reviewed HVAC's FY2007 Appropriation Balances, the "Alpine" software system's budget revision and their revenue/expenses. In December the HVAC Board made the final loan payment to the Plumbing Board.

MOTION: Mike Wisdom made a motion to send a letter to the Plumbing Board thanking them for providing the funds which aided the start-up of the HVAC Bureau. Carol Alexander seconded. All ayes, motion passed.

◆ **Compliance Reports – Notice of Violations and Warnings**

Descriptions of the HVAC violation codes were distributed. The most common violation is the failure to permit a job. Al Caine familiarized the Board with the Notice of Violation report; explaining the Bureau's process once a violation has been issued to a contractor.

Proposed Administrative Rules are currently being reviewed by the Legislature. If approved, the Board will have the ability to assess civil penalties at the end of the legislative session. Agency codes will change and a civil penalty report will be created.

Steve Keys explained the process for progressive application of civil penalties. The HVAC Board is also the Appeals Board for civil penalties.

◆ **Exam Summary Report**

The HVAC Exam Summary report shows the number of exams given to HVAC contractors and journeymen, the number of applicants that passed their respective tests and the resulting pass percentages. From November 2005 through December 2006, the average pass rate for journeymen was 47 percent; with contractors having an 88 percent pass rate.

◆ **Apprenticeship Program**

Rosie Rosco, Boise State University (BSU), stated classes one through three of the HVAC apprenticeship program are presently in progress. The third year program was developed and piloted in 2006 and will be available to other schools in 2008. BSU is developing a fourth year course and anticipate piloting it throughout the year. The Fuel Gas course is a 60-hour course and part of the year two program. It is also offered as a stand alone and correspondence course. A code class will be a part of the fourth year course and as a stand alone class.

◆ **Apprentice Related Training Requirements**

A statistical report comprised of HVAC apprentices registered with the State, attending and not attending school was distributed. Al Caine discussed the agency's procedures in which to notify apprentices not attending school and the ramifications.

Senator Charles Coiner is considering legislation affecting existing rules related to apprenticeship training. Steve Keys has been asked by Senator Coiner to gather feedback from the Boards for his review prior to making a decision.

During a lengthy discussion a “helper” category was suggested. Under this category a registered non-apprentice’s hours would not count towards apprenticeship, they would never be a journeyman and they would always be supervised.

MOTION: Carol Alexander made a motion that the HVAC Board support the concept of another category, whether called non-apprentice or helpers, and the Board investigate the issue further. Jim Byrer seconded the motion. All ayes, motion passed.

◆ **Hearth Specialties - Update**

A Letter of Agreement from International Code Council (ICC) to the Division was dispersed. The agreement allows ICC to develop an exam, run a workshop and administer the exam once developed. An examination development fee of \$2,500.00 will be billed to the Division upon completion of the development of the Journeyman Fireplace and Hearth Specialty license exam.

Within the next several weeks, Al Caine will arrange a workshop between ICC and an industry related committee to create the exam. The agency anticipates the exam to be in place by HVAC’s May Board meeting.

◆ **Proposed Legislation**

Modular Industry - The modular industry’s legislation creates an industry board, a one permit system and changes the factory built verbiage to modular terminology. If approved, the board would be under the Division of Building Safety.

HB 132 – The statute replaces the current MOU between the Electrical, HVAC and Plumbing Bureaus. The bill codifies the components of that agreement with one significant improvement; allows plumbers or Electrical/HVAC contractors to add on an incremental permit if doing HVAC installations and running Electrical from a disconnect to a unit.

HB 134 – The purpose of this legislation is to revise the definitions of HVAC specialty apprentice and specialty contractor; to assign board member position numbers and to clarify qualifications; to provide for election of a chairman every three years; to delete obsolete provisions; to provide for expiration of terms of members appointed or serving prior to July 1, 2007 and to provide for appointment of board members for terms commencing July 1, 2007.

HB 137 – This bill adopts the 2006 International Energy Conservation Code; making it user-friendly for designers and builders.

HB 139 – This legislation is a naming law which allows a qualified general contractor to perform HVAC, electrical or plumbing if so qualified by his Public Works license.

HB 140 – This legislation is necessary to accurately reflect the operating structure of the Division of Building Safety; consolidating/defining the powers and duties of the Division Administrator.

◆ **New Business**

Waste Oil Heaters - The current HVAC statutes and laws do not require a license to install waste oil heaters. Steve Keys recommended the Board look at formulating a temporary and pending rule establishing a specialty category. In the interim, the installers were offered the opportunity to apply, test and receive an HVAC contractor's license

ACTION: The DBS staff will coordinate a meeting with members of the HVAC Board and the Waste Oil Heater industry. The committee is asked to present a proposal to the Board at their May Board meeting in Idaho Falls.

ACTION: Russ Owen has also been asked to bring recommendations for other specialty licenses to the May meeting.

Chimney Shrouds & Dryer Vents – The industry asked for a uniform interpretation on building codes regarding chimney shrouds. Steve Keys suggested the Board adopt a rule, taking exception to what's in the code for this requirement. Carol Alexander stated the administrative section of every code already gives the authority having jurisdiction similar latitude. Roger Gabel will look at the code section for the Division.

ACTION: Russ Owen and DBS staff have been asked to bring to the May Board meeting a rule modifying the code requirements on chimney shrouds.

ACTION: Pat Minegar requested the dryer vent issue be addressed at the May meeting with Dan Brizee addressing recommendations at that time.

Chairman Minegar adjourned the meeting at 12:00 p.m.

PATRICK R. MINEGAR, CHAIRMAN
HVAC BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE